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August 27, 2014

VIA ECF AND FACSIMILE

Honorable Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square, Chambers 2204
New York, New York 10007-1312

**Re: Lockheed Martin Corporation, et al. v. MTA, et al.
Civil Action No.: 09 Civ. 4077 (PGG)**

Dear Judge Gardephe:

Plaintiff Lockheed Martin Corporation ("Lockheed Martin") submits this letter in advance of the parties' pretrial conference scheduled on September 5, 2014 and in reference to a conference call with Your Honor's Law Clerk.

Lockheed Martin respectfully requests that the Court address the following topics at the pretrial conference:

1. Trial duration;
2. Allocation of trial time for each party to put on its case-in-chief, and that Lockheed Martin be allocated extra time to conduct cross-examinations on Defendants' twenty-six (26) witnesses offered by affidavit in its case-in-chief;¹

¹ Comparatively, Lockheed Martin offered thirteen (13) witnesses by declaration in its case-in-chief.

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3. Allocated time for opening and timing for closing statements;
4. Timing for the Court's ruling on objections set forth in the parties' joint pretrial order;
5. Timing for moving exhibits into evidence;
6. Confirmation that the Court does not require any additional paper copies of the trial exhibits; and
7. Ability to keep exhibit sets in the Courtroom starting on the Friday before trial commences through the end of trial.

Lastly, pursuant to the Court's Individual Rules of Practice 4(G), the parties' motions for partial summary judgment were fully submitted on October 15, 2013, and Lockheed Martin respectfully inquires as to the status of those motions.

We look forward to the Court's direction and appreciate the Court's attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew A. Taylor". The signature is fluid and cursive, with a horizontal line above the first part of the name.

Matthew A. Taylor (MT 2914)

cc: Ira J. Lipton, Esq., Hoguet, Newman Regal and Kenney, LLP, for MTA (via email)
Adam P. Friedman, Esq., Wolff & Samson PC, for the Sureties (via email)